

REMARKS

We are in receipt of the Office Action date March 18, 2003, and the above amendment and following remarks are made in light thereof. Claims 39-63 are pending in the application. It is noted that examiner indicates that claims 22-38 have been withdrawn from consideration. Applicant notes these claims were cancelled pursuant to the amendment filed by mail on January 21, 2003.

Initially, Applicant again wishes to thank the Examiner for his patience and instruction provided on earlier occasions. Applicant hopes that, by the submission of the present Amendment, in which the pending claims are cancelled and new claims are substituted, examination of the application will be advanced.

Turning now to the Office Action, claims 49 and 56-63 stand rejected under 35 USC 112 for not providing an enabling disclosure for glutamic acid or an extract of *Radix Sophorae Flavescentis*. In addition, claims 39, 40, 50 and 52-63 stand rejected under 35 USC 112 for indefiniteness.

The present invention relates to the use of one or more of amino acids and/or salts thereof to treat vaginal conditions. The composition concern consist essentially of one or more amino acids and/or salts thereof. It may or may not include an oligopeptide, sodium bicarbonate, Miconazole, and *Radix Sophorae Flavescentis* in the composition. Thus, applicant respectfully

submits that the examiner is mistaken in asserting that the claims composition consists of one or more of: glutamic acid, an oligopeptide, sodium bicarbonate, Miconazole and Radix Sophorae Flavescentis. In order to expedite the examination of the present application, applicant has cancelled the pending claims and substitutes the new claims 64-72.

The composition of the amino acids of the pharmaceutical formulation defined in claim 64 is a preferred form of the composition of the present application. In the first paragraph on page 7 of the specification, it is stated that "However, the pharmaceutical composition of the invention may also contain minor kinds of amino acids and/or salts of amino acids, **especially the amino acids and/or salts or amino acids selected from the group defined as follows: glutamic acid, aspartic acid, isoleucine, phenylalanine, valine, leucine, proline, phreonine.** The composition containing only one or two sodium salts of amino acids can also partly realize the object of the invention." (Emphasis added)


There are also many composition examples that show these eight amino acids are preferred by their much higher dosages in the compositions. Accordingly, applicant submits that claim 64 is supported by the disclosure of the application. Applicant also submits the accompanying Declaration of the inventor in

order to prove the effectiveness of the pharmaceutical formulation called for in claim 64.

In view of the foregoing, allowance of the pending claims 64-72 is respectfully requested.

Respectfully submitted,

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